

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRIAN JONES,

Plaintiff,

v.

THE URBAN LEAGUE OF
SPRINGFIELD, INC. and
CAMP ATWATER,

Defendants.

DOCKET NO. 04-cv-30215-KPN

**MOTION TO COMPEL AND
ASSENTED TO MOTION TO EXTEND TIME TO COMPLETE DEPOSITIONS**

The plaintiff respectfully submits this Motion to Compel and Assented to Motion to Extend Time to Complete Depositions.

Grounds for the Motion to Compel are set forth in the accompanying Memorandum of Law filed on this date.

As grounds for the Assented to Motion to Extend Time to Complete Depositions, the plaintiff states: throughout September 2005, the plaintiff and defendants counsel attempted several telephone conferences and despite diligent attempts were unable to connect by telephone. On October 4, 2005, the plaintiff's counsel sent the defendants' counsel a letter addressing the outstanding discovery disputes. Throughout October 2005, the plaintiff and defendants counsel attempted several telephone conferences and were unable to connect by telephone. The defendants' counsel then went out of town unexpectedly on a family matter on October 19, 2005. Although he is not due to return to his office until on or around October 28, 2005, the parties' counsel

conducted a telephone conference on October 24, 2005, in an attempt to narrow or resolve the issues before the Court.

Depositions have been scheduled and will be substantially completed before the close of discovery. However, if the Court rules favorably for the plaintiff on any issue before the Court, the plaintiff seeks leave of Court to suspend the depositions and have additional time to complete them to explore the information that may be provided as a result of this Motion to Compel. **The defendants assent to that portion of the Motion that would allow the plaintiff additional time to complete depositions.**

WHEREFORE, the plaintiff asks the Court to grant his Motion to Compel and if it allows any portion of that Motion, to grant his Assented to Motion to Extend Time to Complete Depositions.

Respectfully submitted,
PLAINTIFF
By his Attorney,

Dated: October 26, 2005

/s/ Suzanne Garrow
Suzanne Garrow
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CERTIFICATE OF SERVICE

I, Suzanne Garrow, hereby certify that true copies of the foregoing Memorandum of Law were served upon the attorney of record for the defendants by electronic mail on October 26, 2005.

/s/ Suzanne Garrow
Suzanne Garrow

CERTIFICATION OF COMPLIANCE
WITH Fed.R.Civ.P. 26(c) AND LOCAL RULE 7.1

I, hereby certify that I conferred with counsel for the Defendants in a good faith effort to resolve this discovery dispute without court action.

/s/ Suzanne Garrow
Suzanne Garrow